

ORDINANCE NO. 2024-36

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS REQUIRING PET OWNERS TO MICROCHIP THEIR DOGS AND CATS; PROVIDING FOR EXCEPTIONS; PROVIDING FOR PENALTIES; REPEALING ORDINANCE OR PART OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING AN EFFECTIVE DATE, SEVERABILITY CLAUSE, FINDINGS OF FACT, AND PROVIDING FOR OPEN MEETINGS.

WHEREAS, the City of Lockhart, Texas ("City") is a home rule city having authority to utilize police power regulation for the health, safety, and general welfare of the citizens of the City; and

WHEREAS, the City Council of the City ("City Council") has determined that there is a need to have all dogs and cats within the City microchipped in order to promote the health, safety, and welfare of the citizens of the City and promote responsible pet ownership; and

WHEREAS, the City Council has found that having dogs and cats microchipped increases the chances that lost animals will be returned to their owners.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT:

SECTION 1. FINDINGS OF FACT

The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

SECTION 2. PURPOSE AND SCOPE

The City Council of the City finds that, in order to promote the public health, safety, and welfare of the citizens of the City, and to promote responsible pet ownership, facilitate the identification and return of lost pets, pet owners must microchip their dogs and cats.

SECTION 3. DEFINITIONS

For the purposes of this Ordinance, the following definitions shall apply:

- (a) *Residential Property* means any real property, including but not limited to single-family homes, apartments, condominiums, and townhouses, that is zoned for residential use or where residential use has been authorized by the City.
- (b) *Dog* means a mammal which is a member of the species *Canis familiaris*.
- (c) *Cat* means a mammal which is a member of the species *Felis catus*.
- (d) *Animal Owner* means any person who owns, harbors, has custody or control of a dog or cat within the city limits of Lockhart, Texas. An animal shall be deemed to be harbored if it is fed or sheltered for three consecutive days or more.
- (e) *Microchip* means a small electronic device implanted under the skin of an animal, containing a unique identification number that can be scanned to identify the animal and retrieve the owner's contact information.

SECTION 4. MICROCHIPPING REQUIREMENT

- (a) All animal owners within the City of Lockhart must have their dogs and cats microchipped.
- (b) The microchip must be implanted by a licensed veterinarian, authorized animal care professional, or trained Animal Shelter staff. Microchips implanted by trained Animal Shelter staff will be assessed a \$15.00 fee.

(c) The microchip must comply with ISO standards for international compatibility.

(d) Animal owners shall ensure that the microchip is registered with a nationally recognized pet recovery database, and that their contact information is kept up-to-date.

SECTION 5. COMPLIANCE AND ENFORCEMENT

(a) Animal owners shall have one hundred eighty days from the effective date of this ordinance to comply with the microchipping requirement in Section 4 of this Ordinance.

(b) The Lockhart Animal Control Department shall be the authority responsible for enforcing this ordinance.

(c) Animal control officers may request proof of microchipping from any animal owner upon inspection or in the event that the animal is impounded.

(d) Failure to comply with the microchipping requirement in Section 4 of this Ordinance may result in penalties as outlined in Section 5 of this ordinance.

SECTION 6. PENALTIES

(a) Violation of this Ordinance shall be considered a civil infraction.

(b) Upon determination of a violation of this Ordinance, the animal owner in violation shall be issued a citation.

(c) Penalties for non-compliance shall not exceed \$200 for the first offense, \$300 for the second offense, and \$500 for each subsequent offense.

(d) In addition to monetary fines, the City may pursue other legal remedies as provided by law to ensure compliance with this ordinance.

SECTION 7. EXCEPTIONS

(a) Exemptions to the microchipping requirement may be granted by the Lockhart Animal Control Department for animals with a documented medical condition that contraindicates microchipping, subject to verification by a licensed veterinarian.

(b) A cat that is part of the Trap, Neuter, Release (TNR) Program and has had their ear notched/tipped, is exempt from this ordinance.

SECTION 8. SEVERABILITY

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared to be severable.

SECTION 9. EFFECTIVE DATE

This ordinance shall take effect thirty (30) days after its passage and publication in accordance with applicable law.

SECTION 10. OPEN MEETING COMPLIANCE

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED by the City Council of the City of Lockhart, Texas, on this the 19th day of November 2024.

CITY OF LOCKHART, TEXAS


LEW WHITE, Mayor

ATTEST:


JULIE BOWERMON, City Secretary

APPROVED AS TO FORM:


BRADFORD E. BULLOCK, City Attorney